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NO. 5269

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Paper No: 23

2004-1311

Gessner, Rick

09/162,735

A

B

Tuesday, January 25, 2005

9:00 AM

MADISON BUILDING (EAST WING)

500 Bulfinch Street

Alexandria, Virginia 22313-1450

#24  
EC  
12/3/04

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NOV 30 2004

OFFICE  
OF PATENT APPEALS  
AND INTERFERENCES

Arent Fox Kintner Plotkin & Kahn  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, DC 20036

Appeal No:

Appellant:

Application No:

Hearing Room:

Hearing Docket:

Hearing Date:

Hearing Time:

Location:

## NOTICE OF HEARING

## CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47.

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

## CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

## BPAI HEARINGS FAX No:

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(703) 872-9308

## BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES

UNITED PATENT AND TRADEMARK OFFICE

P.O. BOX 1450

ALEXANDRIA, VIRGINIA 22313-1450

Clerk of the Board (571) 272-9797

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:



HEARING ATTENDANCE CONFIRMED



HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

November 24, 2004  
Date48,340  
Registration No.Names of other visitors expected to accompany  
counsel:Erik Cherdak (Registration No. 39,936)

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact\\_info.htm](http://www.uspto.gov/web/offices/dcom/bpai/docs/contacts/contact_info.htm)

**Facsimile****Arent Fox**  
ATTORNEYS AT LAW

Date: November 30, 2004

Pages (including cover): 2

Attorney #: 2080

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Name/Company

Fax #

Verify #

Ms. Gloria Henderson

571-273-0042

571-272-9797

BOARD OF PATENT APPEALS &amp; INTERFERENCES

571-273-0299

UNITED PATENT AND TRADEMARK OFFICE

703-872-9306

**MESSAGE/INSTRUCTIONS**

Re: Appeal No: 2004-1311

Appellant: GESSNER, Rick

Application No: 09/162,735

Dear Ms. Henderson:

Pursuant to your request, enclosed please find the copy of the Notice of Hearing Confirmation sent to your office on November 24, 2004, for Application Serial No. 09/162,735 (Appeal No. 2004-1311).

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office:

on November 30, 2004  
Kim Forsell

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 202.857.6119

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